

## Know the Difference between a Court's Opinion and a Court's Order

Most non-attorneys and some attorneys do not realize that a Court's OPINION is not the same as a COURT ORDER.

I will preface the following by saying, a judge's opinion is not the same as a judge's order. One's opinion is just that an opinion. It may be my opinion that a certain dress is pretty and someone one else's opinion that the dress is ugly.

I previously assumed that a *Memorandum Opinion and Order* and the word *Order* in the title meant that I was being given an order and the same as a final judgment. However, this assertion is incorrect. Even if said case could have been heard by the 7<sup>th</sup> Circuit and it could not because a final judgments was never rendered and entered by the clerk.

**When a judge uses the title, *Memorandum Opinion and Order*** and signs a document with his or her not registered legal name, it is easy to deceived a person not versed in law and that lacks the ability to think critically.

1. As the *Practitioner's Handbook For Appeals To The United States Court Of Appeals For The Seventh Circuit 2019 Edition* ("PHFASC") makes this perfectly clear.
2. *Quote The 2019 edition has been revised and updated through May 2, 2019, by Counsel to the Circuit Executive Donald J. Wall at the direction of Chief Judge Diane P. Wood and*

*represents the collaborative efforts of court staff. Unquote. It contains a wealth of information.*

Pages 22-23 of the PHFASC states as follows:

**Judgments, not statements in opinions, are the basis for appellate review. In re Repository Technologies, Inc., 601 F.3d 710, 718 (7th Cir. 2010); Daniels v. Liberty Mutual Ins. Co., 484 F.3d 884, 887-88 (7th Cir.2007).**

An appeal does not present a real case or controversy where the appellant complains **not about a judgment but about statements or findings in the court's opinion**. *Chathas v. Local 134 IBEW, 233 F.3d 508, 512 (7th Cir. 2000); Warner/Elektra/Atlantic Corp. v. County of DuPage, 991 F.2d 1280, 1282-83 (7th Cir. 1993);*

**”...Litigants cannot appeal from district courts’ opinions; only their judgments are the subject to appellate review”**. So, if a district court [renders] a judgment in a litigant’s favor, but the litigant disagrees with the district judge’s reason for [rendering] a judgment in its favor, **the litigant may not take an appeal, unless the litigant is aggrieved by and seeks to alter the terms of the judgment.** See *Wickens v. Shell Oil Co., 620 .3d 747, 759-60 (7th Cir. 2010)* (court reviews judgments, not language in a district court’s opinion critical of counsel). I changed the wording, from enters a judgment to renders a judgment and entering a judgment to rendering a judgment. Again this is because a clerk can only enter a judgment after a judge has rendered it.

Rule 5 of the FEDERAL RULE OF APPELLATE PROCEDURE (E)(i) also supports the fact that a memorandum or opinion is not an order, decree or judgment as shown below: the rule states that the following should be attached to the appeal.

(E) an attached copy of:

(i) the **order, decree, or judgment** complained of **and** any related **opinion or memorandum**, and... The key word here is word and. The court's Judgment and opinion must be sent to the court of appeals.

In the unlawful simulated Order Edmond E Min Chang, Rebecca Pallmeyer/Executive Committee further states:

*Pro se litigant name redacted is the plaintiff in case number 18 CV 18 redacted versus PNC Bank et al, before the Honorable Judge Chang, on March 29, 2019, Judge Chang **entered** his **opinion** in the matter, dismissing it for lack of subject matter jurisdiction. Since that date, name redacted has filed at least five meritless and **frivolous** motions, R.246,247,250,256, 260, including accusations of fraud against the Court and various Seventh Circuit judges.*

It is interesting to note that the Executive Committee states that Judge Chang **entered** his **opinion** in this matter, dismissing it for lack of subject matter jurisdiction.” What the committee clearly did not state was that Judge Chang **rendered a final Order/Judgment** which would have **adjudicated** the case.

The Executive Committee statement brings to mind the case of name redacted *versus Judge Anna Loftus 1:16-cv-02432; Edmond E. Chang, Judge*. It is being cited in accordance with the Fed. R. App. P. 32.1:

In the NONPRECEDENTIAL DISPOSITION (a category that is used when a void Attorney Appearance form, form ILND 450 and Minute entries have been used under the guise of court orders, etc. are used) of *Case No. 18-2025; RE: (redacted versus Loftus 1:16-cv-02432; Edmond E. Chang, Judge)* which was illegally heard in

the United States Court of Appeals For the Seventh Circuit. The case was submitted to the Circuit Court on **August 19, 2019 and Decided on August 20, 2019.**

1. Oral arguments were denied as the Circuit Court stated in footnote 1 as follows:

*“We have agreed to decide this case without oral argument because the appeal is **frivolous**. FED. R. APP. P. 34(a)(2)(A).”*

The case came before Circuit Judges: FRANK H. EASTERBROOK, [a non-registered attorney], MICHAEL S. KANNE and DIANE S. SYKES.

2. It is significant to note that no Appearance of Counsel, for the Defendants or summons were filed according to law in this case.
3. In **their** affirmation of Judge Edmond E. Chang’s “well-reasoned and thorough **opinion**” which states in relevant part as follows:

4.

*[T]he judge’s handling of the case is **commendable**, although it was an unfortunate waste of resources. And this case is only one of many state and federal lawsuits name redacted has brought or defended with the same arguments. With this appeal, redacted has abused not only the judiciary’s time, but that of the defendants, their lawyers, and the public (the Illinois Attorney General drafted the joint appellees’ brief)*

*But for name the redacted payment of the filing fee after the district **court certified** that this appeal was not taken in good faith, this court and the appellees would not have been **burdened** with a **frivolous** quest. Having reviewed the record and the briefs,*

*we will therefore be economical and **AFFIRM the [“judgment”]** for substantially the same reasons expressed in the district court’s well-reasoned and thorough opinion. We also ORDER Doe to show cause within 14 days why sanctions (potentially including a fine and the appellees’ reasonable attorneys’ fees) should not be imposed under Rule 38 of the Federal Rules of Appellate Procedure.*

I can answer this question because you received and your follow corrupt public officials received bribes in the form of free mortgages, etc valued in trillions of dollars.

## THE ENTRY OF A JUDGMENT VS. RENDITION OF A JUDGMENT

3. The Federal rules of Appellate Procedure Rule 36 define an Entry of a Judgment as a **notation** of a judgment in the docket. Again an Entry of a Judgment are notes made by a court clerk and not a judge in the court’s docket.

4. In addition according to West's Encyclopedia of American Law, the “**Entry of Judgment**” is defined as follows as though fully set forth and further states as follows:

a. Formally recording the result of a lawsuit that is based upon the determination by the court of the facts and applicable law makes the result effective for purposes of bringing an action to enforce it or to commence an appeal.

b. **The entry of a judgment is not the same as the rendition of a judgment. Rendition is a judicial act by a court in pronouncing the sentence of law based**

**upon the facts in controversy. Entry occurs after the rendition of judgment.** It is a **ministerial act** that consists of recording the ultimate conclusion reached by the court in the action and providing concrete evidence of the judicially imposed consequences. It serves as a memorial of the action.

c. For a **final judgment** to exist there must be an order that is **signed by a Judge** and the Entry of a Judgment that is dated and signed by the clerk and or deputy clerk of the court. Like other documents issued by the clerk of the court, such as a summons and a subpoena it should also have the seal of the court.

d. While it is true, the clerk of the District Court is authorized to spread upon the court docket the proceedings had and relief granted by the court and to that extent is responsible for entry of the judgment, **such clerk has no authority to perform the judicial function of rendering a judgment.**

e. An "order" entered on the trial docket does not constitute a rendition of judgment. Any action maintaining to be a judgment, decree, or final order must be rendered, signed and entered to be valid.

f. The trial court's **unsigned** Memorandum Opinion and Order [R. 243] provided that a final judgment **AO 450** would be **entered**. However, no final judgment was ever **rendered** and therefore, could not have been **entered**.

g. Hence, the reason that they were no court orders that were signed by Judge Chang and why the clerk or

deputy clerk failed to sign the “entry” of the alleged “judgment” in this instant action.

h. The court frequently uses play on words, deceptive documents and intimidation in order to deny me my rights to due process and equal protection under the law.

When you receive a letter in the mail or electronically stating that judgment has been ENTERED and not Judgment as been RENDERED. It literally means that the court clerk just sat or stood at his or her computer and then typed the words “Judgment Entered.” He or she then attached a counterfeit form that makes everyone believes that the judge signed a valid order.

**5. When comparing Form ILND 450 JUDGMENT IN A CIVIL CASE with AO 450 “Judgment in a Civil Action” and AO 145(Rev. 2/82 “Entry of a Judgment” (the latter are forms approved for use in all federal district courts of the United States) it is important to list the key differences on these forms. They are listed as follows:**

6. It appears that **ILND 450** is a hybrid of forms **AO 450** and **AO 145**. They begin as follows:

a. Judgment is hereby “**entered**” (check appropriate box) ---ILND 450

b.

c. The court has “**ordered**” that (check one)--- AO 450 Judgment in a Civil Action

d. Form AO 450 indicates with “(name)” that both the Plaintiff’s and Defendant’s names should be listed. It states as follows: “the plaintiff (name)” and “defendant (name)”

e. Form ILND 450 omits this requirement

f. Form AO 450 makes it clear that the signature of the Clerk or Deputy Clerk is required see (EXH 2; Pg. 9 Exh. 1).

g. Form ILND 450 omits the clear showing of this requirement.

h.

2. It my opinion that form is also not valid because of the wording, there is not place for the judge to sign and a place for the court's seal is not provided.

Now I am going to show you how to use of the word Opinion and the word Entered is used to trick the average person into believing that a valid court order was rendered by a judge and entered by a clerk.

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FORM AO 450 IS THE OFFICAL FORM THAT IS USED TO UNDER THE FRCP RULE 58 TO RENDER ALL FINAL JUDGMENTS

# UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_ )  
*Plaintiff* )  
 v. ) Civil Action No.  
 \_\_\_\_\_ )  
*Defendant* )

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

NOTICE THAT FORM ILND 450 STATES ENTERED NOT ORDERED

the plaintiff (name) \_\_\_\_\_ recover from the defendant (name) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (name) \_\_\_\_\_ recover costs from the plaintiff (name) \_\_\_\_\_

other: \_\_\_\_\_

This action was (check one):

tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

decided by Judge \_\_\_\_\_ on a motion for

Date: \_\_\_\_\_

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Print

Save As...

Reset

THE SIGNATURE OF CLERK IS REQUIRED HERE - NO SIGNATURE LINE ON FORM ILND AO 450

I will not show the forms that the Illinois Northern District court use to tricks a person into believing that they received a valid order that has to be followed. These judges were appointed by various presidents from so called liberal democrats to conservative republicans. Most of these presidents are puppets, Senator Dick Durbin and Peter J. Birnbaum controls the government.

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A written Order and Judgment can also be sued to render a judgment.

I discovered what appears to be a totally valid order signed by Judge David R. Herndon. Of course this took place in the Southern District of Illinois and not the Northern. I could hardly believe that a federal judge let alone a federal judge in the state of Illinois signed his name with a wet holographic signature complete with the seal of the Court and an Electronic Time and File Stamp on an "Order" and a "Judgment in a Civil Case."

That all of the relevant parties names were listed on the order and the Judgment as required by law. I didn't look at all of the documents in case, but he followed all of the law treats all litigants equally he should be the next Supreme Court judge. This is the first case where I saw a judge followed the law. I hope I don't get him or the Clerk in trouble. On information and belief judges who follow the law are frown upon. The Order and the Judgment are shown below: I don't care what race or sex a judge is along as they are honest.

The Court **DIRECTS** the **CLERK OF THE COURT** to **ENTER JUDGMENT ACCORDINGLY.**

**IT IS SO ORDERED.**

Signed this 12th day of December, 2014.

 Digitally signed  
by David R.  
Herndon  
Date: 2014.12.12  
14:25:13 -06'00'

**District Judge  
United States District Court**

*Pharmaceuticals, Inc., et al.*  
Civil Action No.: 3:13-cv-50750

*Robert Seip v. Boehringer Ingelheim  
Pharmaceuticals, Inc., et al.*  
Civil Action No.: 3:14-cv-50514

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** These matters are before the Court for the purpose of docket control.

**IT IS HEREBY ORDERED AND ADJUDGED** that pursuant to the Order of Dismissal With Prejudice filed on December 12, 2014, the above captioned cases are **DISMISSED** with prejudice. Each party shall bear their own costs.

**JUSTINE FLANAGAN,  
ACTING CLERK OF COURT**

**BY: /s/Cheryl A. Ritter  
Deputy Clerk**

**Dated:** December 15, 2014

  
Digitally signed by  
David R. Herndon  
Date: 2014.12.15  
10:28:22 -06'00'


**APPROVED:  
U.S. DISTRICT JUDGE  
U. S. DISTRICT COURT**



**United States District Court for the Northern District of Illinois**

Case Number: 1:19-cv-07790

Assigned/Issued By: EC

Judge Name: Chang 

Designated Magistrate Judge: Kim

**FEE INFORMATION**

**Amount Due:**  \$400.00  \$46.00  \$5.00  
 IFP  No Fee  Other \_\_\_\_\_  
 \$505.00

The Judge is in case in EDMOND E. CHANG. The clerk's initial is listed as EC. His clerk's name is Sandra Brooks

Number of Service Copies \_\_\_\_\_ Date: \_\_\_\_\_

(For Use by Fiscal Department Only)

Amount Paid: 400.00

Receipt #: 4624233978

Date Payment Rec'd: 11/26/2019

Fiscal Clerk: EC 

**ISSUANCES**

Summons  Alias Summons  
 Third Party Summons  Lis Pendens  
 Non Wage Garnishment Summons  Abstract of Judgment  
 Wage-Deduction Garnishment Summons \_\_\_\_\_  
 Citation to Discover Assets (Victim, Against and \$ Amount)  
 Writ \_\_\_\_\_  
(Type of Writ)

NO SUMMONS WAS ISSUED BY THE CLERK. THIS PAPER SERVES AS A RECEIPT

WHEN A SUMMONS IS ISSUED IT WILL ALWAYS CONTAIN A VALID SEAL AND THE SIGNATURE OF THE CLERK

3 Original and 3 copies on 11/26/2019 as to \_\_\_\_\_  
(Date)

Illinois Institute of Technology, Soren P. Spicknall,

Microsoft Corporation Microsoft Midwest Headquarters.



Above is a counterfeit form that Judge Edmond E Min Chang and other judges use make you believe that a summons, Third Party Summons, Non wage Garnishment Summons, Wage-Deduction Garnishment Summons, Citation to Discover Assets, Writ, etc has been issued by the court. This form is used to collect fees that the court cannot legally collect.

The Judges name is listed as Chang, Assigned slash issued by now state EC and not the last name of Chang. Judge's Chang's clerk name is Sandra Brook. Clerks perform clerical duties not judges.

### **The Criminal Tactics Used To Illegally Foreclose Homes In The State Of Illinois**

**As in all courts throughout the world a judgment becomes final only after it is signed and filed. Illinois Supreme Court Rule 272. When Judgment is Entered states as follows:**

*If at the time of announcing final judgment the judge requires the submission of a form of written judgment to be signed by the judge or if a circuit court rule requires the prevailing party to submit a draft order, the clerk shall make a notation to that effect and the judgment becomes final only when the **signed** judgment is filed.*

*Amended October 25, 1990, effective November 1, 1990; amended Dec. 29, 2017, eff. Jan. 1, 2018.*

*Committee Comments.* The purpose of this rule is to remove any doubt as to the date a judgment is entered. It applies to both law and equity... In 1990 the rule was amended to provide that in those cases in which, by circuit court rule, the prevailing party is required to submit a draft order, **a judgment becomes final only after the signed judgment is filed.**

***Per the Clerks of Courts Act (705 ILCS 105/8) (from Ch. 25, par. 8) Sec. 8: Documents issued by the clerk are required to be signed and bear the seal of the Court. The law states in part as follows:***

*The clerks shall, in all cases, attend in person to the duties of their offices, respectively, when it is practicable so to do, and shall perform all the duties thereof which can reasonably be performed by one person. In the performance of the duties of the office of clerk of the circuit court, **any such clerk, after filing with the Secretary of State his or her manual signature certified by him or her under oath, may execute or cause to be executed with a facsimile signature, in lieu of his or her original signature, all forms of process and notices issued by his or her office. "Facsimile signature" means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.***

*When the seal of the clerk of the circuit court is required in the execution of any process or notice issued by the clerk's office, the clerk may cause the seal to be printed, engraved, stamped or otherwise placed in facsimile thereon. The facsimile seal has the same effect as the impression of the seal. (Source: P.A. 83-346.)*



*The Cook County “GENERAL ADMINISTRATIVE ORDER NO. 2014-02 ELECTRONIC FILING (eFILING) OF COURT DOCUMENTS” states as follows:*

*Electronic Signatures a. Any document electronically signed pursuant to this section shall comply with all applicable laws and rules regarding original signatures on court documents and shall be subject to applicable sanctions. i. Each electronically filed document shall bear a facsimile or typographical signature of the attorney or pro se party authorizing such filing. ii. Documents containing signatures of third parties may be filed electronically and shall bear a facsimile or typographical signature.*

1. The tactics used in the states courts of Illinois are similar to tactics used in most federal courts. Invalid summonses (usually bearing no seal or an altered seal and/or no signature of the clerk), unsigned attorney appearance forms, unsigned court orders, etc. There has been hundreds of thousands of illegal foreclosures throughout the decades in the state of Illinois, I can't list them all so I will list a few, These examples do no include all of the civil case that were fixed such as cases: involving Peter J. Birnbaum's companies, Allstate Insurance Company, American Family, Menards, Blue Cross Blue Shield, the list goes on and on.

2. When the criminals do not use a judge's file stamp, they will use the infamous FILED-1. It would be physically impossible for millions of court documents to have the same file stamp that is numbered one (1).